

Fuel Facility Stakeholders Meeting

May 1, 2024

Public Meeting With Nuclear Energy Institute
and Members from the Nuclear Fuel Facility Industry

Jonathan Rowley, Project Manager

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

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Meeting Category and Public Participation

This is an Observation Meeting. This is a meeting in which attendees will have an opportunity to observe the NRC performing its regulatory function or discussing regulatory issues. Attendees will have an opportunity to ask questions of the NRC staff or make comments about the issues discussed following the business portion of the meeting; however, the NRC is not actively soliciting comments towards regulatory decisions at this meeting.

Agenda – May 1, 2024

Topic	Time	Speakers
Introduction (Purpose, Rules for Meeting)	8:30 AM	Jonathan Rowley, Project Manager Division of Fuel Management (DFM)
Opening Remarks	8:35 AM	Shana Helton, Director Division of Fuel Management Office of Nuclear Material Safety and Safeguards U.S. Nuclear Regulatory Commission Janet Schlueter, Senior Advisor Nuclear Energy Institute (NEI)
Status of Action Items from November 2023 Meeting	8:50 AM	Jonathan Rowley, Project Manager, DFM
Integrated Schedule and Supplement Updates	8:55 AM	Jonathan Rowley, Project Manager, DFM
Discussion of Proposed Cyber Security Reporting Requirements	9:40 AM	Janet Schlueter, Senior Advisor, NEI Ismael Garcia, Senior Technical Advisor, Office of Nuclear Security and Incident Response
Public Question and Answer	10:10 AM	Public
Break	10:15 AM	
Fuel Cycle Facility Budget Matters	10:30 AM	Samantha Lav, Branch Chief, DFM

Agenda – May 1, 2024 (cont.)

Topic	Time	Speakers
Current Licensing Program Observations	11:30 AM	Samantha Lav, Branch Chief, DFM
Public Question and Answer	12:00 PM	Public
Lunch Break	12:05 PM	
Construction Oversight Program	1:15 PM	Nicole Coover, Acting Director, Division of Construction Oversight
Status Update and Path Forward for Fuel Facility Inspection Program Self-Assessment Report	1:45 PM	Benjamin Karmioli, Fuel Cycle Operations Engineer, DFM
RASCAL Code Revision Issues	2:15 PM	Jonathan Marciano Lozada, Senior Risk and Reliability Analyst, DFM
Public Question and Answer	2:45 PM	Public
Break	2:50 PM	
Status Update on Regulatory Guidance for Part 73 Reporting Requirements	3:05 PM	Phil Brochman, Senior Program Manager, Division of Physical and Cybersecurity Policy
Environmental Review: Bifurcation Requests and Categorical Exclusion Considerations	3:35 PM	Robert Sun, Branch Chief, Division of Rulemaking, Environmental, and Financial Support
Public Q & A	4:05 PM	Public
Recap of Action Items for the Day	4:10 PM	Jonathan Rowley, DFM Janet Schlueter, NEI
Closing Remarks and Adjourn	4:15 PM	Shana Helton, DFM Janet Schlueter, NEI

Opening Remarks

Shana Helton, Director

Division of Fuel Management

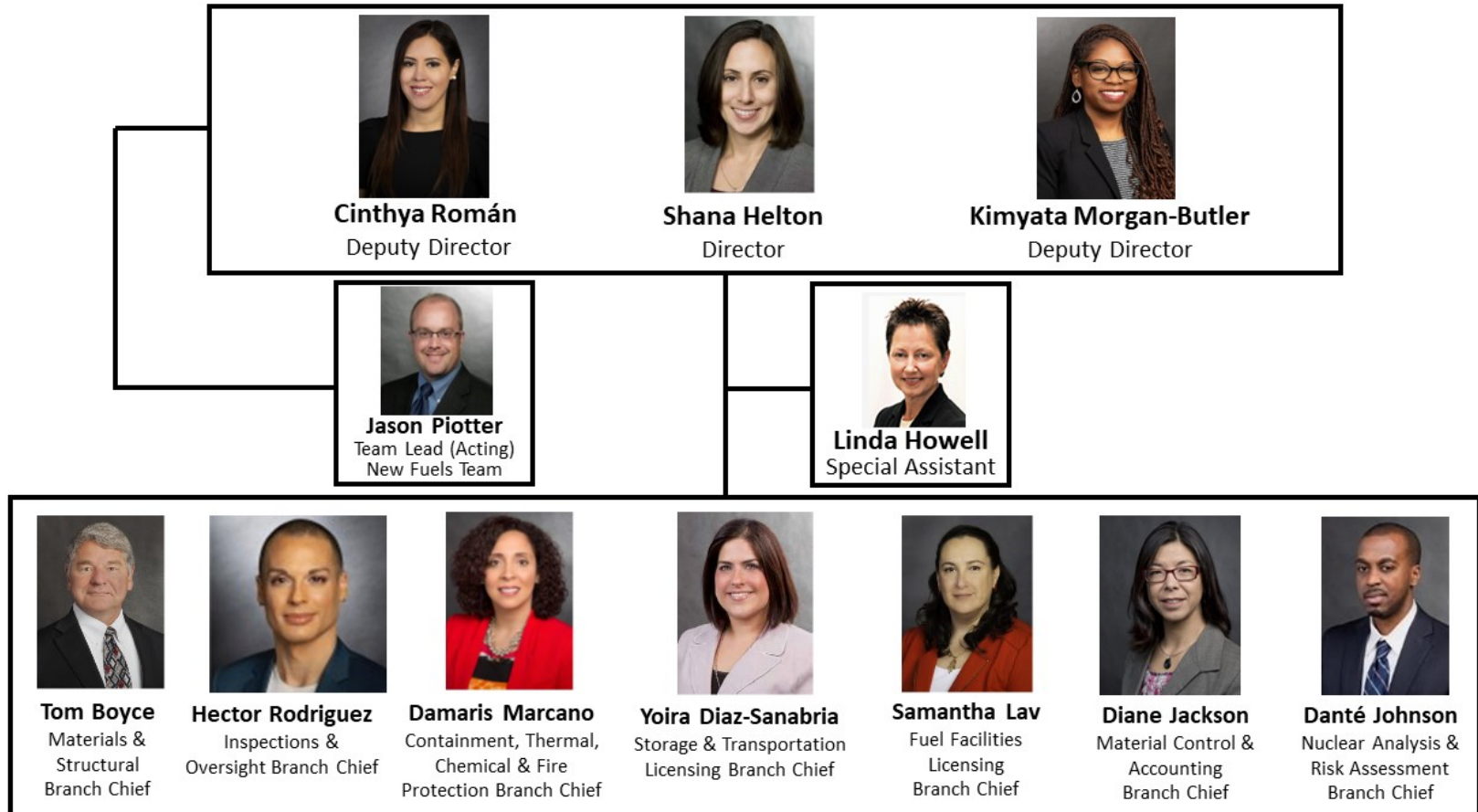
Office of Nuclear Material Safety and Safeguards

Janet Schlueter, Senior Advisor

Fuel and Low-Level Waste

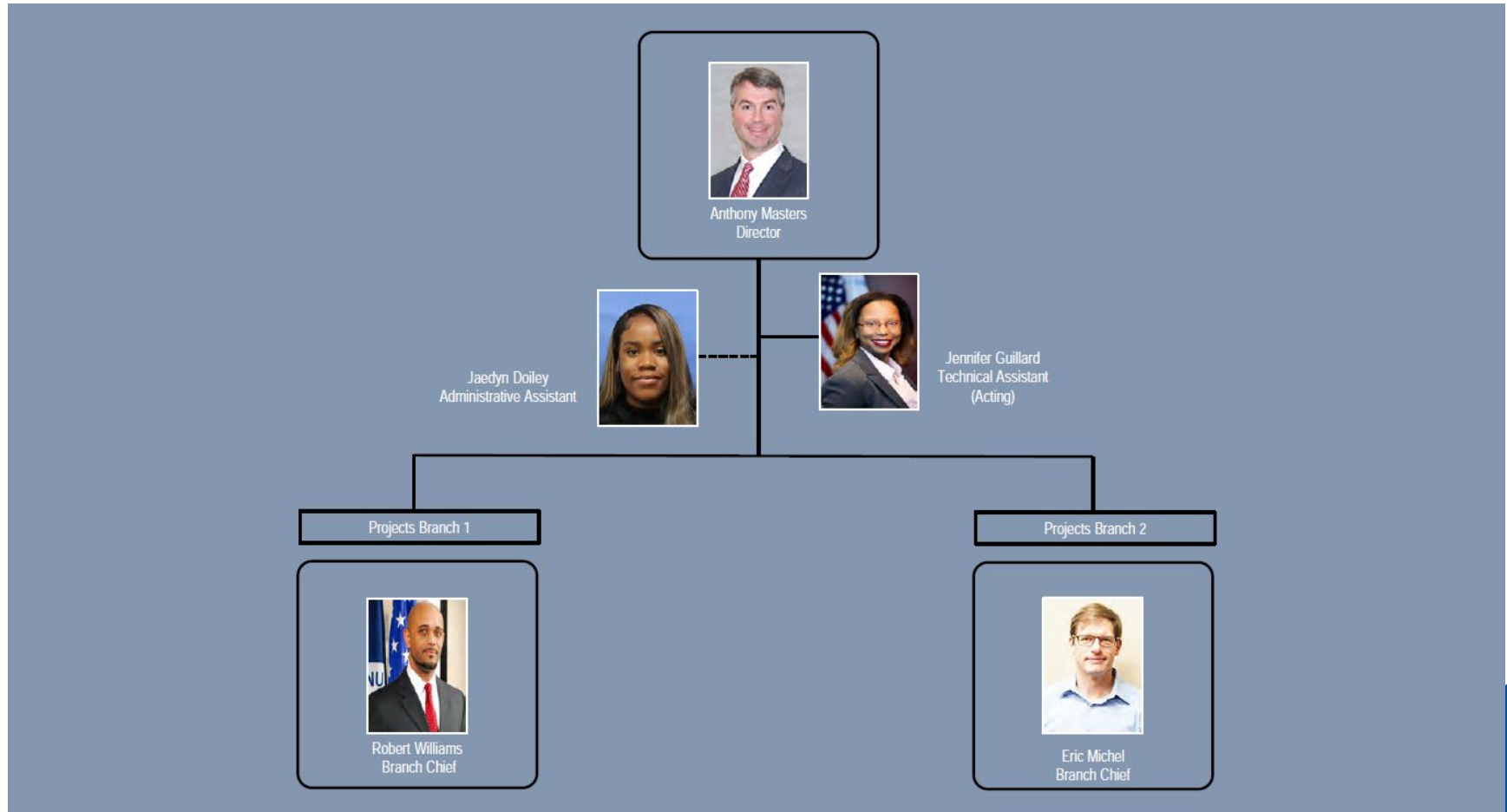
Nuclear Energy Institute

Division of Fuel Management



Updated: April 2024

Division of Fuel Facility Inspection



Action Items from November 2023 Fuel Facility Stakeholders Public Meeting

Jonathan Rowley, Project Manager

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

Action Items – November 2023 Stakeholders Meeting

Action Item 1

The NRC and NEI/Industry shall exchange any meeting presentation materials at least one week prior to the scheduled meeting date.

NRC Staff Resolution

DFM developed new guidance for planning and conducting the bi-annual fuel facility stakeholders meeting. The guidance will ensure that information will be available to the public at least 7 days prior to the meetings. *(Ongoing Periodic Action)*

Action Item 2

The NRC staff will maintain a current integrated schedule of regulatory activities chart on the NRC public website for the fuel facility stakeholders meeting.

NRC Staff Resolution

The integrated schedule is updated at least twice a year prior to each stakeholders meeting and as needed when new items are added. *(Ongoing Periodic Action)*

Action Item 3

The NRC will host a meeting prior to the spring 2024 public stakeholder meeting to brainstorm ideas for improvements or modifications to the existing NRC fee and budgeting structure.

NRC Staff Resolution

A meeting was held on January 11, 2024. Meeting summary in ADAMS at ML24033A212. *(Closed)*

Action Item 4

The NRC will host a meeting to discuss updates to the Inspection Manual Chapters (IMCs) 2600 and 2694 and Instruction Procedures in the new 88200 series, Category II baseline.

NRC Staff Resolution

A meeting was held on January 11, 2024. Meeting summary in ADAMS at ML24033A212. *(Closed)*

Action Item 5

The NRC will implement a method to communicate the date of the most recent update to the TRISO-X dashboard.

NRC Staff Resolution

A date stamp was added to the bottom of Review Status Summary page of the TRISO-X dashboard home page to indicate the last date the dashboard was refreshed, and the data modified. *(Closed)*

Action Item 6

If requested by the industry, the NRC will host a meeting to further discuss structures as Items relied on for safety (IROFS).

NRC Staff Resolution

A meeting has not been requested. *(Pending)*

Integrated Schedule Chart and Supplement Updates

Jonathan Rowley, Project Manager

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

Updates to Integrated Schedule Chart and Supplement

- Updated information
 - Fuel Facility Stakeholders Meeting
 - <https://www.nrc.gov/materials/fuel-cycle-fac/regs-guides-comm.html#cumeffects>
 - Integrated Schedule (Chart)
 - ADAMS Accession Number ML24113A243
 - Integrated Schedule Supplement
 - ADAMS Accession Number ML24113A246
 - Summary of changes to previously listed activities (November 2023 – May 2024)
 - ADAMS Accession Number ML24113A244

Discussion of Proposed Cyber Security Reporting Requirements

Public Participation

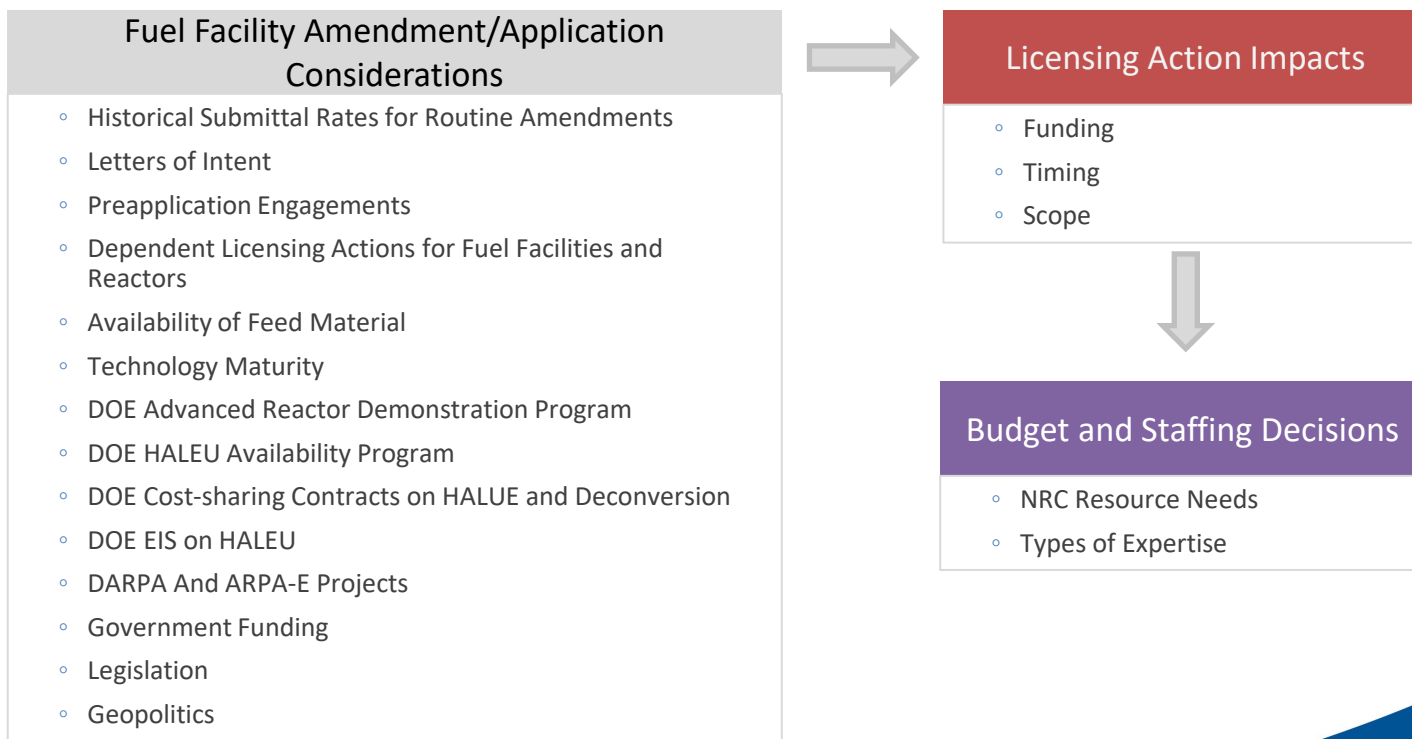
At this time, the public is afforded an opportunity to ask questions and/or provide comments on the following topics:

- Status of Action Items
- Integrated Schedule and Supplement Updates
- Cyber Incident Reporting Rule

Fuel Cycle Facility Budget Matters

Samantha Lav, Chief
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety and
Safeguards

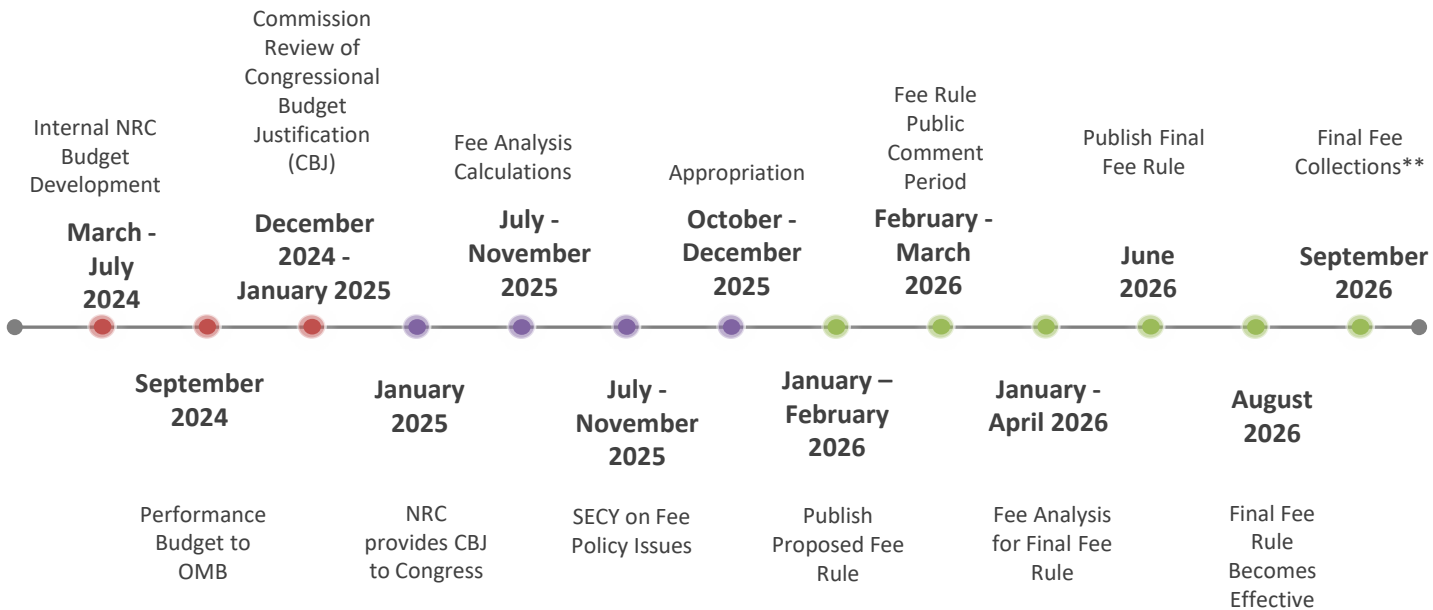
Budget Formulation Process – Environmental Scan



Budget Formulation Considerations

- The environmental scan, including direct input from licensees and applicants, informs the NRC's estimate of the number and type of licensing actions in a given budget year
- We apply a confidence ranking (high, medium-high, medium, low) to major submittals to determine what to include in the budget.
- Rankings consider extent of pre-application engagement, ongoing licensing/construction activities, maturity of design, source and level of funding, related reactor licensing, regulatory engagement plan/letter of intent, availability of feed material (enrichment and chemical form)
- High confidence and a percentage of medium and medium-high confidence reviews are budgeted.
- Inspection activities are matched to licensing actions for construction inspections and operational readiness reviews
- The NRC uses budget models, informed by historical expenditures, to develop resource needs for specific types of licensing and actions
- Guidance updates are proposed based on lessons learned from using the existing guidance or gaps identified for future applications

FY 2026 Budget and Fees Timeline*



*The dates in the timeline are illustrative and based on generic timelines
 **NRC collects fees throughout the fiscal year with the final collections due by September 30, 2026

Fiscal Year (FY) 2024 Congressional Budget Justification vs Enacted

Product Line	CBJ		Enacted		Changes from CBJ	
	\$M	FTE	\$M	FTE	\$M	FTE
PL-1 Event Response	\$0.5	2.0	\$0.5	2.0	\$0.0	0.0
PL-2 Generic Homeland Security	\$2.7	3.0	\$2.7	3.0	\$0.0	0.0
PL-3 International Activities	\$1.8	7.5	\$1.8	7.5	\$0.0	0.0
PL-4 Licensing	\$9.3	27.9	\$8.3	26.3	(\$1.0)	(1.6)
PL-5 Oversight	\$6.4	27.0	\$6.3	27.0	(\$0.1)	0.0
PL-7 Rulemaking	\$0.5	2.0	\$0.5	2.0	\$0.0	0.0
PL-M Mission Support and Supervision	\$3.5	15.0	\$3.4	15	(\$0.1)	0.0
PL-N Training	\$0.5	1.0	\$0.5	1.0	\$0.0	0.0
Travel	\$0.6	0.0	\$0.6	0.0	\$0.0	0.0
TOTAL	\$25.7	85.4	\$24.5	83.8	(\$1.2)	(1.6)

*Numbers may not add due to rounding

FY 2025 Congressional Budget Justification

Product Line	FY 25 CBJ		Change from FY24 Enacted	
	\$M	FTE	\$M	FTE
PL-1 Event Response	\$0.5	2.0	\$0.0	0.0
PL-2 Generic Homeland Security	\$2.7	3.0	\$0.0	0.0
PL-3 International Activities	\$1.7	7.5	(\$0.1)	0.0
PL-4 Licensing	\$7.5	25.1	(\$0.8)	(1.2)
PL-5 Oversight	\$7	29.1	\$0.7	2.1
PL-7 Rulemaking	\$0.5	2.1	\$0.0	0.1
PL-M Mission Support and Supervision	\$3.4	15.0	\$0.0	0.0
PL-N Training	\$0.5	1.0	\$0.0	0.0
Travel	\$0.8	0.0	\$0.2	0.0
TOTAL	\$24.6	84.8	0.1	1.0

*Numbers may not add due to rounding

FY 25 Congressional Budget Justification

Major Activities

- Review fuel manufacturing facility license applications, including the ongoing license review of one fuel manufacturing facility
- Conduct oversight activities, including early construction oversight of one new fuel manufacturing facility
- Conduct licensing activities for nine fuel cycle facilities and ten greater than critical mass quantities of SNM licensees
- Support two rulemakings as directed by the Commission, and rulemaking support activities such as maintenance of regulatory analysis guidance and rulemaking infrastructure
- Maintain the NMMSS, a national database for SNM reporting to fulfill domestic requirements and international agreements
- Sustain U.S. non-proliferation activities by fulfilling national obligations, implementing international safeguards, and licensing the import and export of nuclear materials and equipment. Additionally, support the NRC's work with international counterparts including reciprocal commitments under bilateral peaceful nuclear cooperation agreements and activities involving obligation tracking, treaty compliance, and reviews under 10 CFR Part 810, "Assistance to Foreign Atomic Energy Activities." Support bilateral visits to other countries possessing or obtaining U.S.-origin SNM with regard to physical protection and material control and accounting. Provide technical assistance to the IAEA and support U.S. initiatives to enhance international safeguards and verification programs
- Support agency-provided training in radiation sciences, security, and other training related to regulatory support, support centrally managed external training and organizational development, and maintain a highly qualified workforce through recruitment and staffing of entry-level positions to support the agency's Strategic Workforce Planning initiative

Public Participation

At this time, the public is afforded an opportunity to ask questions and/or provide comments on the Fuel Cycle Budget Matters.

Increased Communication and Transparency in the Fuel Facility Licensing Process

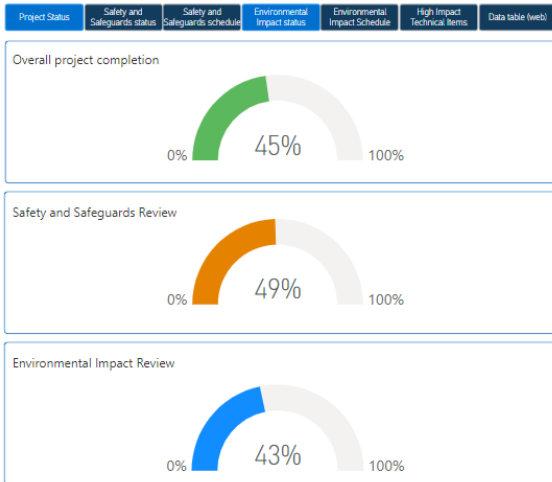
Samantha Lav, Chief
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Increasing Communication

- We are effectively using pre-application engagements
 - Allows for early identification and resolution of technical and policy issues that could affect licensing
 - Familiarizes staff with the proposed licensing action
 - Leads to more efficient reviews
- We are improving the efficiency of acceptance reviews
 - Using clarification calls and audits instead of RSIs, where possible
 - Issuing acceptance letters with observations to address issues early in the review and reduce RAIs
- We are engaging early on RAIs and using additional regulatory tools to address complex issues, as needed, to ensure mutual understanding of issues
 - Clarification calls
 - Audits
 - Ensuring RAIs are needed to fill a hole in the SER and have a clear nexus to regulations
 - Draft RAI calls
 - Draft RAI submittal calls
 - Opportunities to supplement RAIs
 - Adding information to BOX or applicant portals
- We have routine calls with licensees/applicants to discuss
 - action item status
 - projected timeline
 - new challenges
 - related case work that informs NRC review

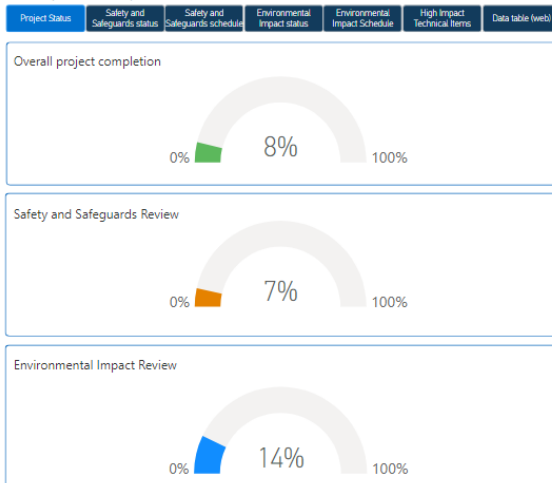
Increasing Schedule and Cost Transparency

TRISO-X Review Status Summary



Dashboard last refreshed on: 4/4/2024
Data last modified on: 3/13/2024

LES (URENCO) Review Status Summary



Dashboard last refreshed on: 4/19/2024
Data last modified on: 3/13/2024

- Posted updated cost estimates on the public website
- Include schedule and cost information in acceptance letters and update if there are significant changes
- Conduct routine calls with applicants and licensees on the progress of reviews
- We are implementing dashboards for major reviews to improve transparency on the progress of the staff's review

Tracking Schedule and Cost

Tracking

- Weekly
 - PM discussion with Branch Chief on licensing actions, any challenges, and mitigations
- Biweekly
 - Validation of fees charged for specific actions to licensees/applicants
 - Routine calls with licensee/applicant on progress of reviews
- Monthly
 - Discussion with division management on licensing actions, any challenges, and mitigations
 - Discussion with division management on budget execution, areas over/underburning and mitigation
- Quarterly
 - Agencywide discussion of metrics and enterprise risks

Licensing Metrics

- CBJ Metrics
 - Percent of licensing actions completed in 2 years = 100%
 - Percent of new licenses completed within 3 years = 100%
 - Average percent of published schedule used $\geq 75\%$ and $\leq 115\%$
- Internal
 - Number of licensing actions completed per year
 - Percent of licensing actions completed in 1 year
 - Percent of licensing actions completed in 1.5 years

Opportunities for Improvement

- Continued substantive pre-application engagement on technical issues to ensure mutual understanding of expectations and early alignment on technical and policy issues
- High quality, complete, and timely submittals
- Appropriate identification of whether an action is categorically excluded
- High quality, complete, timely and responsive RAI responses
- Timely sharing of information on changes to the timing or scope of submittals and significant issues that can impact the review

Construction Oversight Program

Nicole Coover, Director (Acting)
Division of Construction Oversight
Region II

Fuel Facilities Construction Inspection Program

- Construction/major modification inspection guidance updates and status
- Inspector training for inspection guidance implementation
- Ongoing public communications

Status Update and Path Forward for Fuel Facility Inspection Program Self-Assessment Report

**Benjamin Karmioli, Fuel Cycle
Operations Engineer**
Inspection and Oversight Branch
Division of Fuels Management

Purpose

- Provide background related to self-assessment
- Provide details of the Self-Assessment
- Provide status update on Fuel Cycle self-assessment
- Provide next steps
- Roundtable Discussion

Background

- Fuel Facilities Smarter Inspection Program (SIP) (2019):
 - Holistic assessment of the fuel cycle inspection program
 - Goal to improve effectiveness and efficiency while further integrating risk-informed insights
- NRC started to implement SIP changes by early 2021 [ML21029A332]

Self-Assessment Details

- Fuel Facilities Inspection Program Self-Assessment:
 - Assessment is partially driven by SIP
 - Looks at 3 years of experience using enhanced guidance (2021 - 2023)
 - Assessment is focused on, but not limited to SIP enhancements
 - Provide recommendations to management if/where appropriate

Self-Assessment Details

- Form Working Group (WG):
 - Diverse group of Inspection Staff and Program Office Staff
- WG Tasks:
 - Collect and evaluate qualitative and quantitative data
 - As necessary, formulate risk informed recommendations for management consideration
- Status:
 - Data has been collected and is being evaluated by WG
 - Preliminary insights identified
 - Preliminary/Draft recommendations developed

Preliminary Assessment of Data

- The following slides provide an early look at the self-assessment analysis
 - Areas where no changes are anticipated
 - Areas where analysis is ongoing

Note: Information is Preliminary and Dependent on Ongoing Evaluation

Areas Where No Changes are Anticipated

- Risk categorization of Technical Areas as defined by the SIP
- Resident Inspector Program enhancements
- Elimination of overlap in Inspection Procedures (IP's)

Note: Information is Preliminary and Dependent on Ongoing Evaluation

Areas of Ongoing Evaluation

- Potential opportunities to increase clarity and flexibility of IP's to further increase focus on most risk significant elements
- Potential opportunities to improve guidance for the Triennial Plant Modifications IP
- Potential opportunities to improve organizational effectiveness
- Direct inspection hours for Category I Material Control & Accounting inspections

Note: Information is Preliminary and Dependent on Ongoing Evaluation

Schedule/Path Forward

Milestone	Due Date	Status
Stakeholder Meeting Presentation	5/1/24	Complete
Development of Report and Issuance	Late Summer 2024	

Note: Information is Preliminary and Dependent on Ongoing Evaluation

Questions/Comments

Public Participation

At this time, the public is afforded an opportunity to ask questions and/or provide comments on the following topics:

- Licensing Program Observations
- Construction Oversight Program
- Fuel Facility Inspection Program Self-Assessment

RASCAL Code Revisions: Impacts to Consequence Assessments

Jonathan Marcano Lozada, James Hammelman, Nicole Cortés
Division of Fuel Management
Office of Nuclear Material Safety and Safeguards

RASCAL Code Revisions

Purpose:

- Share observations about how changes in the RASCAL code has resulted in higher estimated consequences for uranium hexafluoride (UF_6) releases for conservative meteorological assumptions
- Recommend monitoring changes in RASCAL code and continuing to perform valid accident analysis

RASCAL Code

Background:

- RASCAL is a tool developed by the NRC for making independent dose and consequence projections during radiological incidents and emergencies (<https://ramp.nrc-gateway.gov/codes/rascal>)
- Although most modules are for reactor accident analysis, there are some modules that can be used for fuel cycle accident consequence analysis (e.g., criticality, UF6 releases, fires involving uranium)
- The code can be used for analysis of events at Fuel Cycle Facilities to support:
 - Integrated Safety Analysis
 - Emergency Response Planning
 - Post-Accident Analysis

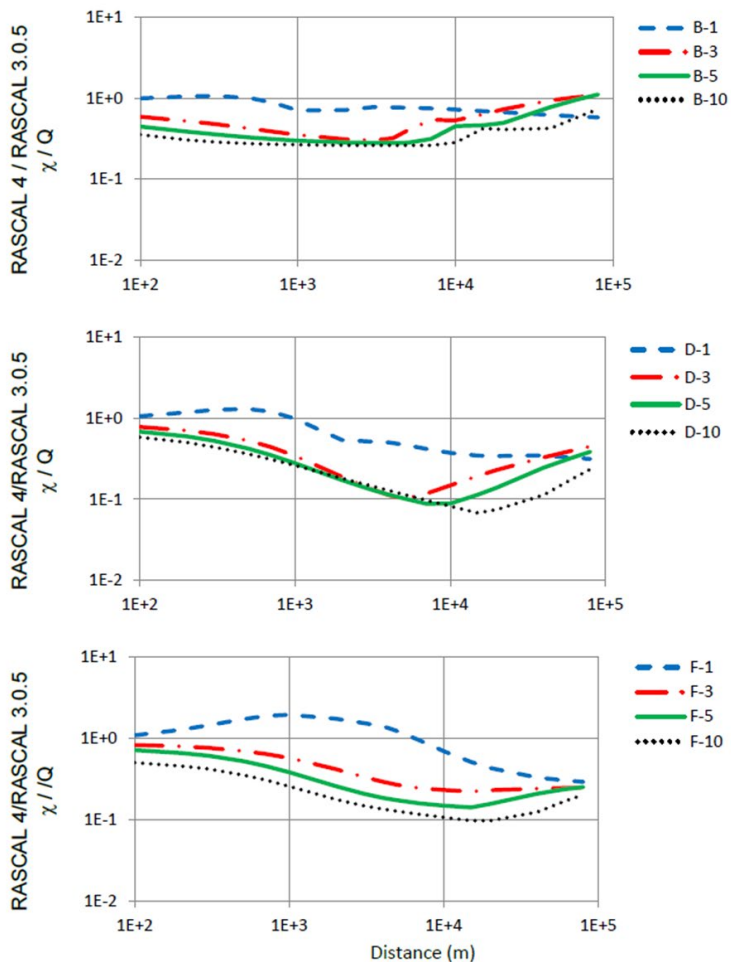
RASCAL Code Revisions (Version 4)

- RASCAL version 4 yields an increase in consequence assessments from a postulated UF_6 release compared to version 3, when assuming conservative meteorological conditions (F stability, 1 m/sec). Most other meteorological conditions are expected to result in reduced consequences with version 4 when compared to version 3.
 - Basis Chapter 4 of [NUREG-1940](#), “RASCAL 4: Description of Models and Methods” (See attached supporting slide)

Maintaining Awareness of RASCAL Code Updates

- The staff encourages licensees to monitor changes to RASCAL and ensure that consequence assessments and emergency planning analyses are based on valid modeling techniques
- RASCAL is frequently updated and new versions incorporate improvements in modeling techniques and assumptions
- At this time, the staff does not expect that future changes to RASCAL will impact FCF consequence assessments

Supporting Slide



For Stability Classes B, D, and F with Wind Speeds of 1, 3, 5, and 10 m/s

Figure 4-5 Ratio of RASCAL 4 to RASCAL 3.0.5 χ/Q for ground-level releases for selected stabilities and wind speeds

Uranium intake due to the airborne release of a certain mass of uranium is given by Eq. (8) [4]

$$I_U = Q \times BR \left(\frac{\chi}{Q} \right) \quad (8)$$

where

I_U is inhaled intake of soluble uranium, (mg)

Q is the released quantity, (mg)

BR is the breathing rate, which is $3.33 \times 10^{-4} \text{ m}^3/\text{s}$

Questions/Comments

Status Update on Regulatory Guidance for Part 73 Reporting Requirements

Phil Brochman, Senior Policy Analyst
Division of Physical and Cybersecurity Policy
Office of Nuclear Security and Incident
Response

Overview

- Status of Revision of Regulatory Guides Supporting the Enhanced Weapons Rule
- Contraband Issues
- Malevolent Intent Assessment
- Unauthorized Personnel Issues
- Federal Aviation Administration Local Control Tower Issue
- Enforcement Guidance Memorandum Issuance
- Future Correction Rulemaking

Revised Guidance Issued for Comment

- In October 2023, the NRC staff issued for public comment three draft regulatory guides (DGs), as limited-scope revisions.
 - DG-5080 (Proposed Rev. 3 to RG 5.62)
 - DG-5081 (Proposed Rev. 1 to RG 5.86)
 - DG-5082 (Proposed Rev. 1 to RG 5.87)
- The 45-day comment periods closed in December 2023.
 - A total of 42 comments were received.

Revised Guidance Issued for Comment (cont.)

- The staff has been able to address many, but not all, of the issues raised by industry.
- The revised regulatory guides (RGs) will be issued individually in the following order:
 1. RG 5.86, Rev. 1 (Issued April 2024)
 2. RG 5.87, Rev. 1
 3. RG 5.62, Rev. 3

Contraband Issues

- 10 CFR 73.1200(e)(1)(iii) and (iv) require a 4-hr event notification for the actual or attempted introduction of contraband into a protected area (PA), vital area (VA), or material access area (MAA).
- This event does not apply to licensees with only a controlled access area (CAA) under 10 CFR 73.67.

Contraband Issues (cont.)

- An MAA applies to Category I strategic special nuclear material (SSNM) licensees under 10 CFR 73.46 or an NRC Order, not to §73.67 licensees.
- For events involving the unauthorized introduction of electronic media or devices into a 10 CFR Part 95 security area, such infractions are recorded under 10 CFR 95.57(b), not reported under § 73.1200.

Malevolent Intent Assessment

- RG 5.62 will now specify that a licensee may use its existing processes to assess whether malevolent intent was present in assessing reportability.
 - If not present, an event notification is not required. Instead record the event under 10 CFR 73.1210.
 - However, such an assessment must be completed within the timeliness requirement for the specific event notification, or the notification made to the NRC.
 - Completing an assessment after the notification is made can be a basis for retraction of the event.

Unauthorized Personnel Issues

- 10 CFR 73.1200(e)(1)(i) and (ii) require a 4-hr event notification for the actual or attempted introduction of unauthorized personnel into a PA, VA, MAA, or CAA.
- This event does apply to licensees with only a CAA under 10 CFR 73.67.

Unauthorized Personnel Issues (cont.)

- The terms “controlled area” under 10 CFR 72.106 and “controlled access area” under Part 73 have different meanings.
- The access of unauthorized personnel into a Part 72 controlled area is not reportable under § 73.1200.
 - However, other regulations may apply.

Federal Aviation Administration (FAA) Local Control Tower Issue

- 10 CFR 73.1215 refers in several locations to licensees making suspicious activity reports to their FAA local control tower.
 - This applies to licensees subject to § 73.1215(d), meaning some, but not all, fuel facility licensees
- Rulemaking will be required to change this regulatory language.
 - Accordingly, references to this language will remain in RG 5.87.

Enforcement Guidance Memorandum Issuance

- The NRC staff has issued Enforcement Guidance Memorandum (EGM 23-001) to provide guidance to inspectors for the period after the final rule's compliance date of 1/8/2024, if the NRC has not dispositioned a licensee's exemption request.

Future Correction Rulemaking

- For some of the issues identified by industry, the staff assesses that rulemaking is necessary to resolve these challenges.
- The staff is in the early stages of initiating the rulemaking process to address these issues.
- The staff is also assessing how best to engage stakeholders regarding the scope of any potential rulemakings.

Questions/Comments

Environmental Review: Bifurcation Requests and Categorical Exclusion Considerations

Robert Sun, Chief

Environmental Project Management Branch 2
Division of Rulemaking, Environmental, and
Financial Support

Bifurcation

- Bifurcation: environmental and safety information submitted at different times.
- Increased number of requests to bifurcate from Fuel Facilities
- Requested time frames for bifurcation have ranged from a couple months up to a year.
- Bifurcation requires NRC approval of an exemption request from the requirements of 10 CFR 51.60(a) and, if applicable, from 10 CFR 70.21(f)
- An exemption request must be submitted in accordance with 10 CFR 51.6 and, if applicable, from 10 CFR 70.17
 - NRC will grant exemptions if “it determines are authorized by law and are otherwise in the public interest.”
 - Exemptions would also be time-conditioned.
- An application is not considered complete until all parts have been received.

Bifurcation

- Bifurcation can have both benefits and risks which NRC and licensees/applicants should consider.
- Benefits of Bifurcation (for environmental review):
 - Promotes pre-application engagement
 - Allows some initial environmental project management and outreach
 - Staggers safety/environmental resources for the Licensee/Applicant
- Risks of Bifurcation (for environmental review):
 - Submittal of an ER does not initiate the full environmental review process.
 - Application docketed after receipt of a complete application the NRC has found acceptable
 - Level of NEPA review would be determined upon NRC acceptance of an application for docketing
 - FRA timeliness requirements: 12 months for EA; 24 months for EIS.
 - **MYTH: The longer the bifurcation period, the more effective it becomes.**
 - Introduces process risks- may increase overall review period and hours, duplicative effort, delay staff decisions until the complete application is received and docketed.

Categorical Exclusions

- 10 CFR 51.22 *"Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review."*
- Licensees and Applicants can make their case for why their proposal should fall into a particular categorical exclusion.
- NRC staff cannot speculate on what the appropriate level of NEPA environmental review will be for an application that has not been received.

Categorical Exclusions

- Requirements for Amendments to Meet the Requirements for Categorical Exclusion (CatEx)
 - 51.22(c)(11) Issuance of amendments to licenses for fuel cycle plants and radioactive waste disposal sites and amendments to materials licenses identified in 51.60(b)(1) which are administrative, organizational, or procedural in nature, or which result in a change in process operations or equipment, provided that
 - (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite,
 - (ii) there is no significant increase in individual or cumulative occupational radiation exposure,
 - (iii) there is no significant construction impact, and
 - (iv) there is no significant increase in the potential for or consequences from radiological accidents.
- NRC seeks to apply CatEx criteria consistently in the application review process.
- NRC technical staff, OGC, and management review and align on CatEx determinations after considering the full application.

Public Participation

At this time, the public is afforded an opportunity to ask questions and/or provide comments on the following topics:

- RASCAL Code Revisions
- Status Update on Regulatory Guidance for Part 73 Reporting Requirements
- Environmental Review: Bifurcation Requests and Categorical Exclusion Considerations

Recap of Action Items

Jonathan Rowley, Project Manager

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

Closing Remarks

Shana Helton, Director

Division of Fuel Management

Office of Nuclear Material Safety and Safeguards

Janet Schlueter, Senior Director

Fuel and Radiation Safety

Nuclear Energy Institute